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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,674	01/04/2001	Chun-Ping Lin	717-P-1-USA	5297

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EXAMINER

DANG, KHANH NMN

ART UNIT	PAPER NUMBER
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2181

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DATE MAILED: 07/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/755,674	LIN, CHUN-PING	
	Examiner	Art Unit	
	Khanh Dang	2181	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☒ Claim(s) 1-16 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____. | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

W Claims 1-^{6, 9-14}~~16~~_^ are rejected under 35 U.S.C. 102(e) as being anticipated by Sharpe, III et al.

It is first noted that similar claims will be grouped together to avoid repetition in explanation.

As broadly drafted these claims do not define any structure that differs from Sharpe, III et al. With regard to claim 1, Sharpe, III et al. discloses a signal converter for transferring data into an appliance comprising: first end connected to a port (24) of a computer (20) for receiving a first signal; a second end (not labeled) connected to a memory device (14) of the appliance via a cable for outputting a second signal; and a

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controller (18A) for converting the first signal into the second signal. With regard to claim 2, see Fig. 3. With regard to claim 3, the memory device (14) is one of an Electrically Programmable Read (EEPROM) and a flash memory. See col. 4, lines 20-21. With regard to claim 4, the computer (20) is further linked to Internet. See at least col. 5, lines 53-58. With regard to claim 5, it is clear that the second signal from the controller (18A) to the memory (14) is a digital signal. With regard to claim 6, the port (24) is a serial port and the first signal is a serial signal. See at least Fig. 2, box 24. With regard to claims 9-14, one using the device of Sharpe, III et al. would have performed the same steps set forth in claims 1-6.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 8, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sharpe, III et al.

Sharpe, III et al. discloses the claimed invention including the use of a serial port (24) of a computer (20) for receiving the "first signal." However, Sharpe, III et al. does not disclose the use of a parallel port (print port) of a computer (20) for receiving a "first signal." It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a parallel port (print port) to receive data (signal), since the

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Examiner takes Official Notice that the use of either a serial port or a parallel port to upload or download data (signal) is notoriously old and well-known in data processing art (exemplary supportive evidence is provided at the end of this Office Action), and the selection of any of any known port including a parallel port (print port) would be clearly within the level of ordinary skill in the art.

U.S. Patent Nos. 6,319,010 to Kikinis and 5,873,765 to Rifkin et al. are cited as relevant art.

U.S. Patent Nos. 6,354,842 to Frei is also cited as relevant art. Frei discloses a physical interface 250, such as a parallel or serial port, that facilitates uploading of data from memory 220 to, or downloading data from, a computer or other external device.

Any inquiry concerning this communication should be directed to Khanh Dang at telephone number 703-308-0211.



Khanh Dang
Primary Examiner